



**UNITED STATES DEPARTMENT OF COMMERCE**  
**National Oceanic and Atmospheric Administration**  
NATIONAL MARINE FISHERIES SERVICE  
Northwest Region  
7600 Sand Point Way N.E., Bldg. 1  
Seattle, WA 98115

Refer to:  
OSB2000-0076

June 22, 2000

Lawrence C. Evans  
Chief, Regulatory Branch  
Corps of Engineers, Portland District  
ATTN: Dave Kurkoski  
P.O. Box 2946  
Portland, Oregon 97232

Re: Biological Opinion on Corps of Engineers' Issuance of a Regional General Permit for Stream Restoration Activities in Oregon Involving Large Wood and Boulder Placement

Dear Mr. Evans:

Enclosed is the National Marine Fisheries Service's (NMFS) biological opinion (Opinion) on the issuance of a Regional General Permit for stream restoration activities in Oregon involving the placement of large wood and boulders as described in the U.S. Army Corps of Engineer's (COE) Biological Assessment (BA) dated April 7, 2000 and additional information supplied on April 17, 2000. This Opinion addresses Snake River sockeye salmon (*Oncorhynchus nerka*), Snake River spring/summer chinook salmon (*O. tshawytscha*), Snake River fall chinook salmon (*O. tshawytscha*), Lower Columbia River steelhead (*O. mykiss*), Upper Columbia River steelhead (*O. mykiss*), Snake River steelhead (*O. mykiss*), Upper Willamette River steelhead (*O. mykiss*), Middle Columbia River steelhead (*O. mykiss*), Columbia River chum salmon (*O. keta*), Lower Columbia River chinook salmon (*O. tshawytscha*), Upper Willamette River chinook salmon (*O. tshawytscha*), Upper Columbia River spring run chinook salmon (*O. tshawytscha*), Southern Oregon/Northern California coast coho salmon (*O. kisutch*), and Oregon coast coho salmon (*O. kisutch*). This Opinion constitutes formal consultation for those listed species.

The NMFS has determined that the proposed action is not likely to jeopardize the continued existence of the listed species described above or adversely modify designated critical habitat. An Incidental Take Statement provides non-discretionary terms and conditions to minimize the potential for incidental take of listed species.

This Opinion also contains NMFS' proposed Essential Fish Habitat (EFH) conservation recommendations for chinook salmon (*O. tshawytscha*) and coho salmon (*O. kisutch*) as required by the Magnuson-Stevens Fishery Conservation and Management Act (MSFCMA) as amended (16 U.S.C. 1801 et seq.). While EFH designations for salmon have yet to be approved by the Secretary of Commerce, we expect such approval to be forthcoming and therefore provide these recommendations to facilitate your consultation obligations. Once the EFH designations are



approved, the COE has a statutory requirement under section 305(b)(4)(B) of the MSFCMA to describe in writing those measures proposed for avoiding, mitigating, or offsetting the impact of the activity on EFH within 30 days.

If you have any questions regarding this Opinion, please contact Michael Tehan of my staff in the Oregon State Branch Office at (503) 231-2224.

Sincerely,

A handwritten signature in black ink, appearing to read "William M. Stelle, Jr.", with a stylized flourish at the end.

William Stelle, Jr.  
Regional Administrator

Enclosure